

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NOS. RPU-03-1 WRU-03-25-156
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**ORDER DOCKETING CASE, ESTABLISHING PROCEDURAL SCHEDULE,
GRANTING INTERVENTION, AND GRANTING WAIVER**

(Issued June 27, 2003)

On May 27, 2003, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) an application for determination of ratemaking principles pertaining to a proposed 310 MW wind-powered generation project. MidAmerican filed revisions to the application on June 2, 2003. MidAmerican plans a project consisting of 173 to 207 wind turbine generators with a maximum nameplate generating capacity of 1.5 megawatts (MW) to 1.8 MW each. The wind generation will likely be installed at more than one location, with each location probably having approximately 80 MW to 150 MW of capacity. The locations for the wind project have not been selected.

As part of its application, MidAmerican filed a stipulation and agreement signed by MidAmerican, Deere & Company, the International Brotherhood of Electrical Workers State Conference, and the Consumer Advocate Division of the Department of Justice. On June 23, 2003, a revised signature page was filed indicating that Local 109, International Brotherhood of Electrical Workers, has agreed to the settlement and stipulation. The stipulation and agreement asks that the Board

approve MidAmerican's requested ratemaking principles. The stipulation and agreement also provides that MidAmerican commits not to seek any general increase in Iowa electric base rates to become effective before January 1, 2011, unless its return on equity falls below a certain threshold. A revenue sharing mechanism is also contained in the stipulation and agreement. On June 10, 2003, Ag Processing Inc filed a letter indicating it would not be intervening in the proceeding, but reserved its option of intervening in any rate case MidAmerican filed pursuant to Article II, Term 3(i) of the stipulation and agreement.

This is the fourth ratemaking principles proceeding pursuant to Iowa Code § 476.53, but the first involving a wind project. This section provides that when defined new electric generation is constructed by a public utility, the Board shall specify in advance, by order issued after a contested case proceeding, the ratemaking principles that will apply when the costs are included in electric rates.

The Board has reviewed the application and will docket it for investigation and set a procedural schedule. The Board will also grant a waiver of 199 IAC 7.2(11)"a," which provides that a settlement may be filed at any time after a case is docketed. Here, the settlement and agreement was filed as part of the ratemaking principles application. The waiver, which was requested by MidAmerican in its filing, is appropriate because it gives other potential intervenors an opportunity to review the settlement and agreement prior to making their decision whether to intervene in the proceeding.

Interstate Power and Light Company (IPL) filed a petition to intervene on June 18, 2003. IPL in its petition said that as an investor-owned, rate-regulated utility providing electric service to Iowa retail customers, any decision in this docket might have future persuasive effect on IPL regulatory filings. IPL has demonstrated a unique interest in these proceedings that is not represented and its petition to intervene will be granted.

IT IS THEREFORE ORDERED:

1. An investigation is initiated with respect to the application for determination of ratemaking principles filed by MidAmerican Energy Company on May 27, 2003. This matter is identified as Docket No. RPU-03-1, a formal contested case proceeding. The expenses reasonably attributable to this investigation will be assessed to MidAmerican in accordance with Iowa Code § 476.10 (2003).
2. The following procedural schedule is established:
 - a. The deadline to file a petition to intervene in this proceeding shall be July 18, 2003.
 - b. Any intervenors opposed to the stipulation and agreement shall file prepared direct testimony, with underlying workpapers and exhibits, on or before July 25, 2003. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.
 - c. MidAmerican and any intervenors supporting the stipulation and agreement shall file rebuttal testimony, with underlying workpapers and exhibits, on or before August 8, 2003.

d. The parties shall file a joint statement of the issues on or before August 12, 2003.

e. All parties that choose to file a prehearing brief may do so on or before August 15, 2003.

f. A hearing shall be held beginning at 9 a.m. on September 4, 2003, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Board's hearing room at 350 Maple Street, Des Moines, Iowa 50319-0069. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

3. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination that have not been previously filed shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

6. The petition to intervene filed by Interstate Power and Light Company on June 18, 2003, is granted.

7. The request for waiver of 199 IAC 7.2(11)"a" filed by MidAmerican Energy Company on May 27, 2003, as part of its ratemaking principles application, is granted.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 27th day of June, 2003.